

**Notice of Allowability**

Applicati n N .

10/072,250

Examiner

Michael Komakov

Applicant(s)

ERNST ET AL.

Art Unit

1746

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/15/2004.
2. ☒ The allowed claim(s) is/are 9, 10 and 12.
3. ☒ The drawings filed on 15 October 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. P. Watkins, esq., on 01/04/2005.

The application has been amended as follows:

Cancel claim 11

In claim 9 replace the words "for cleaning" after the words "facing so as to be exposed" by the words ---to air flow---

In claim 9 after the words "eliminate said particles dislodged from said generally irregular surface features" insert ---with gravity assistance---

In claim 12 replace the words "for cleaning" after the words "irregular surface features exposed" by the words ---to air flow---

In claim 12 after the words "eliminating said particles dislodged from said generally irregular surface features" insert ---with gravity assistance---

### ***Terminal Disclaimer***

2. The terminal disclaimer filed on 01/04/2005 disclaiming the terminal portion of any patent granted on this application, which would extend beyond the expiration date

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of U.S. Patent 6,490,746 has been reviewed and is accepted. The terminal disclaimer has been recorded.

***Response to amendment***

3. All previous rejections and objections have been overcome by Applicants' amendment, filed 10/15/2004 in combination with the Examiner's amendment and the said objections and rejections are withdrawn.

***Allowable Claims***

4. Claims 9,10,12 are allowable over the prior art of record.

***Reasons for Allowance***

5. The following is an examiner's statement of reasons for allowance: the closest prior art of record are Young (U.S. 5,265,298) and Allen et al (4, 987,630).

While being similar to the instantly claimed invention, the teaching of Young does not anticipate or suggest fairly the cleaning method, wherein a substantially laminar gas flow is directed downwardly, wherein the curtain like stream of air is provided across the object with irregular features and wherein the dislodged particles are eliminated from irregular surfaces under conditions, which include positive assistance of gravity.

The teaching of Allen discloses a method for cleaning items with irregular surfaces by directing a curtain like air stream to the objects to be cleaned. However, the air stream in the teaching of Allen is directed upwardly and, therefore, the step of

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eliminating dislodged particles from irregular surfaces under conditions, which include positive assistance of gravity is not anticipated or suggested fairly by Allen.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Kornakov whose telephone number is (571) 272-1303. The examiner can normally be reached on 9:00am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr can be reached on (571) 272-1414. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*M. Kornakov*

Michael Kornakov  
Primary Examiner  
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01/04/2005